

### **REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-9 were pending in the application, of which Claim 1 is independent. In the Office Action dated May 19, 2006, Claims 1-9 were rejected under 35 U.S.C. § 101 and § 103(a). Following this response, Claims 1-20 remain in this application, Claims 10-20 being added by this Amendment. Applicants hereby address the Examiner's rejections in turn.

#### **I. Rejection of the Claims Under 35 U.S.C. § 101**

In the Office Action dated May 19, 2006, the Examiner rejected Claims 1-9 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1-9 have been amended and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter.

#### **II. Rejection of the Claims Under 35 U.S.C. § 103(a)**

In the Office Action, the Examiner rejected Claims 1-9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,563,503 ("*Comair*") in view of U.S. Patent No. 6,563,503 ("*Cragun*") in view of U.S. Patent No. 6,266,053 ("*French*"). Claim 1 has been amended, and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "wherein, to initiate the animation object, the animation object class use a process that receives the base property value and returns a value based on the process's internal modifier definition computation of a progress

value.” Support for these amendments can be found in the specification at least on page 25, lines 24-29 and page 30, lines 1-3.

In contrast, *Comair* at least does not teach or suggest the aforementioned recitation. For example, *Comair* merely discloses a cat entity 60 that transitions between various states (e.g., asleep state 199a, wake state 199b, play state 199c, hunt state 199d, eat state 199e, and a die state 199F) based on various external stimuli (e.g., the passage of time, whether or not the cat 60 is able to catch a mouse 62, etc.) (see col. 10, lines 20-25). In *Comair*, using a process (comprising a GetValue method or otherwise) that receives a base property value and returns a value based on the process' internal modifier definition computation of a progress value is not taught or suggested.

Furthermore, *Cragun* does not overcome *Comair's* deficiencies. *Cragun* merely discloses an animated graphical object notification system. For example, *Cragun* discloses a graphical illustration of an animated behavior configuration dialog 500. (See col. 8. lines 12-13.) Animated behavior configuration dialog 500 may be selected by selecting a behavior tab 502. (See col. 8. lines 13-15.) Animated behavior configuration dialog 500 may be adapted to associate animated object behavior attributes such as speed, movement, and the like, to the animated graphical objects. (See col. 8. lines 15-18.) Animated behavior configuration dialog 500 may also be adapted to configure behavior attributes such as location on the display screen, cloning (i.e., multiplying), and the like. (See col. 8. lines 18-22.) In *Cragun*, animated behavior configuration dialog 500 may be adapted to configure a starting animation speed between a plurality of settings such as slow, medium, fast, and the like by making a

selection from a speed start menu 504. (See col. 8. lines 22-26.) Also in *Cragun*, the speed of animation may be changed over time by further selecting a menu item from an ending speed menu 512. (See col. 8. lines 26-29.) The speed in *Cragun* may be set to increase, decrease, remain constant, or be bound to some other event or program. (See col. 8. lines 29-31.) For example, a user in *Cragun* may set a meeting reminder animated graphical object to start one hour before the meeting with a slower animation and as the meeting time approaches (e.g., the deadline time) the speed of the animation increases. (See col. 8. lines 31-34.) Like *Comair*, *Cragun* at least does not teach or suggest using a process (comprising a GetValue method or otherwise) that receives the base property value and returns a value based on the process's internal modifier definition computation of a progress value.

Moreover, *French* does not overcome *Comair's* and *Cragun's* deficiencies. For example, *French* merely discloses that dynamics in a model and their effects are described as time varying functions and events, freeing an author from programming mechanics of simulating the dynamics, checking for events, and causing the effects to happen. (See col. 2, lines 28-31.) *French* also discloses that for media content of extremely high or subtle accuracy, the author is also freed from implementation issues such as multithreading a simulation with a rendering or compositing tasks. (See col. 2, lines 31-35.) In *French*, using a process (comprising a GetValue method or otherwise) that receives the base property value and returns a value based on the process's internal modifier definition computation of a progress value is not taught or suggested, rather *French* merely discloses dynamics described as time varying functions and events.

Combining *Comair* with *Cragun* and *French* would not have led to the claimed invention because *Comair*, *Cragun*, and *French*, either individually or in combination, at least do not disclose or suggest “wherein, to initiate the animation object, the animation object class use a process that receives the base property value and returns a value based on the process’s internal modifier definition computation of a progress value,” as recited by amended Claim 1. Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claim 1.

Dependent Claims 2-9 are also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-9.

### III. New Claims

Claims 10-20 have been added to more distinctly define and to round out the protection for the invention to which Applicants are entitled. Applicants respectfully submit that these claims are allowable over the cited art and that they add no new matter.

### IV. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the


Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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